

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO

JANE DOE 1, *et al.*,

Plaintiffs,

v.

Civ. No. 23-362 GBW/JHR

EASTERN NEW MEXICO UNIVERSITY
BOARD OF REGENTS, *et al.*,

Defendants,

and

FOREMOST INSURANCE COMPANY
GRAND RAPIDS, MICHIGAN,

Plaintiff-in-Intervention,

v.

MEGHAN DE LOS REYES, *et al.*,

Defendants-in-Intervention,

and

JANE DOE 1, *et al.*,

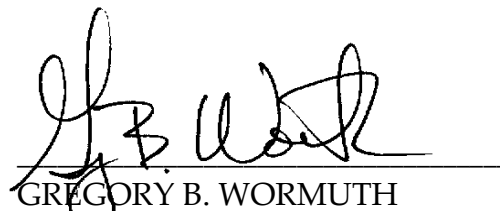
Involuntary Defendants-in-Intervention.

**ORDER GRANTING DEFENDANT EASTERN NEW MEXICO BOARD OF
REGENTS'S MOTION TO DISMISS PLAINTIFFS'
NEW MEXICO CIVIL RIGHTS ACT CLAIMS**

THIS MATTER is before the Court on Defendant Eastern New Mexico Board of Regents's Motion and Memorandum to Dismiss Plaintiffs' New Mexico Civil Rights Act

Claims on the Basis of Eleventh Amendment Immunity and Lack of Subject-Matter Jurisdiction (*doc. 213*) (“Motion to Dismiss”) and Plaintiffs’ Notice of Consent to Motion for Partial Dismissal for Lack of Subject-Matter Jurisdiction (*doc. 236*) (“Notice of Consent”). Having reviewed the Motion to Dismiss and the Notice of Consent, noting the agreement of the parties, and being otherwise fully informed, the Court will GRANT the Motion to Dismiss.

IT IS THEREFORE ORDERED that Count V of Plaintiffs’ First Amended Complaint (*doc. 47*) is DISMISSED WITHOUT PREJUDICE to refile in any New Mexico State Court of proper venue under the New Mexico Civil Rights Act. Plaintiffs shall withdraw their Motion for Partial Summary Judgment on Count V (*doc. 220*). All further claims that have not otherwise been dismissed and that are alleged in the First Amended Complaint remain pending before the Court.

A handwritten signature in black ink, appearing to read 'G. B. Wormuth', is written over a horizontal line.

GREGORY B. WORMUTH
CHIEF UNITED STATES MAGISTRATE JUDGE
Presiding by Consent